

Notice of Allowability	Application No.	Applicant(s)	
	10/617,730	MATSUMOTO, TADASHI	
	Examiner	Art Unit	
	Tan Le	3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/22/05.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input checked="" type="checkbox"/> Other <u>See Continuation Sheet</u> . |

Continuation of Attachment(s) 9. Other: Response to Rule 312 Communication.

DETAILED ACTION

1. This office action is responsive to an amendment filed under 37 CFR 1.312 on 8/22/05. Currently this application contains 7 claims numbered 1-7.
2. Applicant's request the rejoinder of process claims 5-7 in accordance with MPEP 821.04 and *In re Ochiai*, 71 F.3d 1565 USPQ 1127 (Fed. Cir. 1995) filed 8/22/05 has been reviewed and considered with the following reasons:
3. Pursuant to MPEP 821.04, which states, " if Applicant elects claims directed to the product and a product claim is subsequently found allowable, withdrawn process claims which depends from or otherwise include all the limitations of the allowable product claim will be rejoined." In the instant case, Applicant has elected claims directed to a product (claims 1-4), and withdrawn the process claims 5-7 which include all the limitations of allowed product claim 1 is eligible to be rejoined and allowed as required by MPEP 821.04. Accordingly, Applicant's request the rejoinder of process claims 5-7 in accordance with MPEP 821.04 and *In re Ochiai*, 71 F.3d 1565 USPQ 1127 (Fed. Cir. 1995) has been rejoined and allowed:
4. Claims 1-4 are directed to an allowable product. Pursuant to the procedures set forth in the Official Gazette notice dated March 26, 1996 (1184 O.G. 86), claims 5-7, directed to the process of making or using the patentable product, previously withdrawn from consideration as a result of a restriction requirement, are now subject to being rejoined. Claims 5-7 hereby rejoined and fully examined for patentability under 37 CFR 1.104.

Since all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, the restriction requirement made in the Office action mailed on 12/20/04 is hereby withdrawn.

5. Claims 1-4 were allowed.

The rejoined claims 5-7 are also allowed.

Amendment to specification:

6. Applicant's amendment to specification has been considered and entered as directed to matters of form not affecting the scope of the invention (correct a minor typographical error).

7. Claims 1-4 and 5-7 allowed with the same reasons discussed on the previous paper and hereby restated the examiner's statement of reasons for allowance:

REASON FOR ALLOWANCE:

8. One major difference in claims 1, 4 and 5 not found in the closest prior art of Sakai et al. (US 5,971,342) is that Sakai does not teach the slide device having a provisional second spring protrusion formed with the lock piece of the lock mechanism and being located in the neighborhood of the first spring protrusion, the second spring protrusion catching one end of the coil spring provisionally as recited in claims 1 and 4, and the method comprising the step as recited in claim 5, in combination with other limitations as a whole which is not found in Sakai et al. either singularly or in combination to anticipate or render obvious the above limitations or steps.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Le whose telephone number is (571) 272-6818.

The examiner can normally be reached on Mon. through Fri. from 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P. Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tan Le
October 25, 2005



ANITA KING
PRIMARY EXAMINER